

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

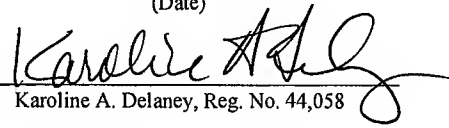
Applicant : Bellott et al.  
App. No : 10/584,821  
Int'l App. : PCT/US04/43087  
Filed : June 26, 2006  
For : SMMR (SMALL MOLECULE  
METABOLITE REPORTERS) FOR  
USE AS IN VIVO GLUCOSE  
BIOSENSORS  
Examiner : Campbell, Barbara A.  
Art Unit : Unknown  
Conf # : 5573

CERTIFICATE OF EFS WEB  
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March 13, 2008

(Date)

  
Karoline A. Delaney, Reg. No. 44,058

## PETITION UNDER 37 C.F.R. § 1.181 TO WITHDRAW HOLDING OF ABANDONMENT

**Mail Stop PCT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Abandonment mailed February 11, 2008, the Applicants hereby petition to withdraw the holding of abandonment of the above-referenced application pursuant to 37 C.F.R. § 1.181 and in accordance with the guidelines set forth in the Manual of Patent Examining Procedure (M.P.E.P.) § 711.03(a).

Applicants filed a declaration document on October 22, 2007 after receiving a Notification of Missing Requirements. On February 11, 2008, the Examiner notified Applicants that the above-identified application had been abandoned for failing to meet the requirements for declarations under 35 U.S.C. § 371, 37 C.F.R. § 1.495, and M.P.E.P. § 201.03(II)(B).

Pursuant to M.P.E.P. § 602.03, "[i]n the first Office action the examiner must point out every deficiency in a declaration or oath and require that the same be remedied." Applicants had not received a first Office action or other notice of deficiency prior to receiving the Notice of

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**Filing Date:** June 26, 2006

Abandonment. Accordingly, Applicants submit that the Notice of Abandonment was untimely and improper.

In view of the foregoing, Applicants respectfully request that the Examiner withdraw the Notice of Abandonment and enter the enclosed Declaration which overcomes the deficiencies of the previous Declaration in response to the Notification of Missing Requirements. If further issues remain to be resolved, the Applicants' undersigned attorney of record hereby formally requests a telephone interview, pursuant to M.P.E.P. § 713.01, with the Examiner as soon as the Examiner has considered the effect of the arguments presented above. The Applicants' attorney can be reached at the number listed below.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 13 March 2008

By: Karoline A. Delaney  
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AMEND

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